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February 19, 2021

## VIA ECF

Hon. Gabriel W. Gorenstein  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

## MEMORANDUM ENDORSEMENT

Re: Burke v. Verizon Communications, Inc. et al.  
Docket: 18 CIV 4496 (PGG) (GWG)  
Our File No.: 82-1046

Dear Magistrate Judge Gorenstein:

We represent defendants Housing and Services, Inc., Kenmore Housing Development Fund Corporation, Kenmore Housing Corp. and Kenmore Associates, L.P. in the above captioned action. This correspondence constitutes our joint letter motion to extend four deadlines contained in the Court's Order of October 27, 2020, more specifically, the deadlines set forth in items 4, 5, 7 and 8 of said Order. This motion is made with the consent of the plaintiff and is intended to address the concerns of all parties engaged in discovery herein. There have been no prior requests to extend discovery deadlines in this action.

We note that, thus far, the parties have exchanged thousands of pages of documents and defendants have answered plaintiff's interrogatories. Although plaintiff has furnished various record authorizations, some were not received until February 11, 2021. Accordingly, there has been insufficient time to process the authorizations and obtain necessary records in advance of plaintiff's deposition. (It is noted that, in our experience, the time required to obtain records appears to have significantly increased due to issues related to the pandemic.) Plaintiff contemplates deposing two or three witnesses from the defendants. Based upon the foregoing, the parties respectfully request that the deadline for non-expert disclosure as contained in item 4 of

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the Court's Order be extended from February 26, 2021 to May 21, 2021, in particular as pertains to deposition of fact witnesses.

The plaintiff has yet to exchange a report from his expert and respectfully requests an extension of the March 12, 2021 deadline in item 5 of the Court's Order to April 12, 2021.

In view of the additional time required to complete depositions, the parties respectfully request that the deadline to request permission to move for summary judgment as set forth in item 7 of the Order be extended from April 9, 2021 to June 8, 2021.

With respect to item 8 of the Order, the parties respectfully request that the deadline for submission of pretrial order materials (in the absence of a request to move for summary judgment) be extended from April 23, 2021 to June 23, 2021.

On behalf of our clients and the plaintiff, we thank the Court for its anticipated cooperation and attention in addressing our concerns and entertaining this application.

Respectfully submitted,

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Mr. Brian Burke

**The proposed schedule is approved. Defendant shall serve plaintiff with a copy of this Order.**

**So Ordered.**



GABRIEL W. GORENSTEIN  
United States Magistrate Judge  
February 19, 2021